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of protection, and encourages any person who obtains an order from any U.S. state to provide a copy to the University's Campus Security Authorities. Individuals may then meet with the University to develop a safety action plan, which is a plan for the University and the victim to reduce risk of harm while the individual is on campus or coming and going from campus.

### **Investigations and Disciplinary Proceedings Involving Allegations of Sexual Violence**

Any reported incident of sexual violence will be subject to a prompt, fair, and impartial process from the initial investigation to the final result. This process will be conducted by the University's Site Supervisor and Senior Executive Vice President of Operations. Such individuals receive annual training on the issues related to sexual violence and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Though no specific timelines are prescribed for the completion of the investigation and hearing, the University anticipates completing these processes as quickly as possible, understanding that the quality and integrity of the processes cannot be compromised.

The investigation will include a period of fact gathering, a hearing, and a written determination. During the fact gathering period, the University may conduct interviews and request documentation or other information from the accuser and the accused. Once the University has completed its fact gathering, it will schedule a hearing.

In connection with the proceedings, both the accuser and the accused will be provided with the definitions of sexual assault, domestic violence, dating violence, stalking, and consent in the applicable jurisdiction and as appropriate to the matter at hand.

The University will provide the accuser and the accused with the same opportunities to have others present, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Consistent with federal law, the University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or proceeding; however, the University has established the following restrictions regarding the extent to which the advisor may participate in the proceedings, which apply equally to both parties:

- Advisors may offer counsel and support to the party they represent, but they may not directly address the University's representatives, or any other party to the proceeding.
- Under no circumstances may they question, examine, or cross-examine any party to the proceeding.

A preponderance of the evidence standard will be utilized in the determination as to whether an incident of sexual violence has occurred. Both the accuser and the accused will be informed simultaneously in writing of the following:

- The outcome of any institutional disciplinary proceeding that arises from an allegation of sexual violence.
- The institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding.
- Any change to the results that occurs prior to the time that such results become final.
- When such results become final.

Sanctions or protective measures that the University may impose following a final determination of an institutional disciplinary procedure regarding sexual violence may include, without limitation, suspension or expulsion from the University or termination of employment.

### **Confidentiality in Matters Involving Allegations of Sexual Violence**

Throughout the investigative and disciplinary processes, the University will protect the accuser's identity by limiting the persons with knowledge of the matter to those directly involved in the proceedings, and by ensuring that all documentation relating to the proceedings is maintained by the University's Site Supervisor, apart from the standard student/employee filing systems. In this manner, the University will ensure that publically available record keeping may be accomplished without inclusion of identifying information about the accuser (to the extent permissible by law).

In addition, the University may change an accuser's academic situation in connection with any such investigation or proceeding, if the change is requested by the accuser and is reasonably available. The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

### **Programs and Information to Prevent Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

University of Fairfax provides educational programming to students and staff regarding the awareness of and prevention of sexual violence. Primary prevention and awareness programs concerning sexual violence are conducted for all incoming students and new employees during their respective orientation processes, and ongoing prevention and awareness programs concerning sexual violence are conducted at least annually for all current students and employees. These training programs include a review of the policies set out in this Report and, as appropriate, a review of the University's *Staff/Faculty Handbook* or the *Catalog*.

In addition, as required under federal law, these programs specifically emphasize:

- That the University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in the Clery regulations (and set out in this Report).
- The definitions of sexual assault, domestic violence, dating violence, stalking, and consent (in reference to sexual activity) in the applicable jurisdiction.
- The information detailed in this Report regarding the (1) the rights, services, and processes available to the parties involved in a matter involving allegations of sexual violence; and (2) disciplinary proceedings involving allegations of sexual violence.
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene when there is a risk that another individual will experience domestic violence, dating violence, sexual assault, or stalking.
- Information on risk reduction to recognize warning signs of abusive behavior and to avoid potential attacks.
- Information regarding existing counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community.

### **Information Regarding Registered Sex Offenders**

In Kentucky, convicted sex offenders must register with the Kentucky State Police. The Kentucky State Police is now providing sex/criminal offender registration information to the public through this website. The intent of this site is public safety and awareness. <http://kspsor.state.ky.us/>

Members of the campus community also may elect to visit the Federal Bureau of Investigation's *National Sex Offender Public Website*, which provides law enforcement information provided by each state concerning registered sex offenders: <https://www.fbi.gov/scams-and-safety/sex-offender-registry>

### **Reporting Suspected Physical or Sexual Abuse of Children**

Any employee or student of the University who receives information related to suspected physical or sexual abuse of children or who reasonably suspects the physical or sexual abuse of a child should immediately report such information to his or her Site Supervisor. If there is reason to believe that immediate protection for the child is advisable, the individual also should report the suspected abuse to the appropriate law enforcement agency.

### **V. TIMELY WARNING OF CERTAIN CRIMES**

Should crimes or incidents occur, either on or off-campus, which, in the judgment of the University's Site Supervisor, do not pose an immediate threat but constitute an ongoing or continuing threat, a campus-wide "timely warning" will be issued to the campus community in a manner that will aid in the prevention of similar occurrences. This timely warning will be issued through the University e-mail system to students, faculty, and staff. Related information also will be posted in classrooms, in the learning resource center, on student bulletin boards, and in common areas, as appropriate. This timely warning will withhold the names and other identifying information of victims to ensure confidentiality.

### **VI. EMERGENCY MANAGEMENT**

The purpose of the University's emergency response and evacuation procedures is to establish policies, protocols, and an organizational structure ready to effectively respond to and manage on-campus emergency events. Accordingly, we outline below the administrative steps for response to, stabilization of, and recovery from an emergency incident, the specific procedures that the University will use to communicate with faculty, staff, students and the general public during an emergency, and the responsibilities of the campus staff tasked with executing emergency protocols.

#### **General Emergency Evacuation and Notification Procedures**

To facilitate its emergency response capabilities, the University utilizes *ANU KCLASS App*, a multi-modal emergency notifications system that sends notifications via text message to cellular phones and other electronic devices and mediums. Students are enrolled in *ANU KCLASS App* at the time of enrollment, and faculty and staff are enrolled at the time of hire.

Should an event occur, either on or off-campus, which, in the judgment of the Site Supervisor, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community, a campus-wide notification will be issued by activating *ANU KCLASS App Notification System*. As described in more detail below, the University will, without delay, and taking into account the safety of the

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community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the Site Supervisor, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. If the Site Supervisor is unable to initiate the emergency notification, it will be carried out by one of the other Campus Security Authorities named above.

As noted above, *ANU KCLASS App* Notification System is only for use upon the confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring at the campus. "Immediate" threat as used here encompasses an imminent or impending threat. "Confirmation" means that a Campus Security Authority has verified that a legitimate emergency or dangerous situation exists. Some examples of significant emergencies or dangerous situations are:

- Extreme weather (*e.g.*, tornado, flood)
- Earthquake
- Terrorist incident
- Armed person
- Bomb Threat
- Explosion

Examples of situations that would **not** necessitate an emergency response or alert include:

- Power outage
- Snow closure
- String of larcenies
- Minor altercation

As time permits, the Site Supervisor will determine whether, in his or her judgment, the information suggesting that an emergency has occurred is credible through consultation with other Campus Security Authorities and personal investigation of the reported emergency event. As noted above, the Site Supervisor also will consider whether issuing a notification or making an announcement would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Given the size and nature of the campus, any emergency notification will be distributed to all members of the campus community (*i.e.*, the Site Supervisor will not limit the notification to select segments of the campus population).

In the event of an emergency, the Site Supervisor will craft a brief notification containing pertinent information about the nature of the emergency (*e.g.*, approaching tornado, gas leak) and include direction regarding the appropriate response (*e.g.*, take cover, evacuate). In addition to activating *ANU KCLASS App Notification System* the Site Supervisor may, if warranted, make an emergency announcement over the University intercom system, provided the facility is equipped with such a system. The Site Supervisor will determine the content of any such announcement, and once again, will modify the announcement, as needed, to ensure that it does not compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

### Evacuation Procedures

Should an emergency notification be made directing a general evacuation, all persons on campus should exit the building immediately by way of the nearest stairwell, marked with a lighted red exit sign, and follow the signs, exiting to the outside and quickly proceeding to the parking lot in front of the building. If the nearest stairwell is blocked, individuals should use another stairwell. Posted evacuation routes for each office or classroom space are located throughout the building, typically near the door. Persons should *not* use any elevator while evacuating. It is the responsibility of all able staff to assist any persons with disabilities in descending the stairwell quickly and safely.

Individuals who exit the building first must position themselves far enough away from the street to enable everyone to stand clear of emergency vehicles. The street must be kept clear at all times, so as not to hamper the movement of emergency vehicles into the area.

Once outside the building, the Campus Security Authorities will confirm that appropriate emergency personnel have been contacted, congregate all employees in the parking lot in front of the building, confirm that all employees and visitors are out of the building, and meet with emergency personnel at the front entrance to provide additional information. Staff members trained in CPR and rescue breathing should survey the individuals outside to determine if anyone is in need of first aid and provide such aid as required. Individuals should not re-enter the campus building for any reason until it is declared safe by the appropriate emergency personnel and the Site Supervisor has agreed to permit persons to re-enter.

### Post-Emergency Measures

As soon as practicable following the occurrence of an emergency, the Site Supervisor will alert the University's Senior Executive Vice President of Operations to facilitate further response, support, and coordination efforts with and among external emergency response entities and the larger community (*e.g.*, local law enforcement authorities, fire department, emergency medical services, disaster relief organizations). The Campus Security Authorities also will coordinate with the corporate office to assess the aftermath of the emergency event. The goal of this assessment is to identify and avoid any remaining danger or risk to the safety or well-being of students, staff, and visitors to the University's location. Should the Site Supervisor determine that an ongoing or continuing threat to the campus community exists, a campus-wide "timely warning" will be issued in a manner consistent with the policies discussed above.

The Campus Security Authorities will work to maintain order and take necessary steps towards restoring general campus operations. Subsequent informational notifications will be communicated to students and staff via email, online notifications, and campus postings. *ANU KLASS App Notification System* will be used only in response to an immediate emergency situation and is not considered appropriate for follow-up communications once the immediate emergency situation has ended.

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### **Preparation and Readiness**

The University will conduct annual tests of *ANU KLASS App Notification System* to ensure preparedness in the event of an actual emergency. Such tests may be announced or unannounced, and may include email or text message test alerts, scheduled drills or exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities. Documentation of any such test is maintained at the University, and includes a description of the exercise, the date and time at which it occurred, and whether it was announced or unannounced.

Through periodic emergency response training, fire and evacuation drills, the posting of this Report on the University's website, and the distribution of notices regarding this Report to new and current students and employees, the University publicizes emergency response and evacuation procedures to students and staff on an at least annual basis.

## **VII. CRIME STATISTICS**

### **Preparation of the Annual Disclosure of Crime Statistics**

As noted at the outset of this Report, a key feature of this document is the disclosure of statistics regarding certain types of crimes reported to the University or local law enforcement. Each year the University prepares these statistics with assistance from its Regulatory Affairs division, and in cooperation with the University's Campus Security Authorities and local law enforcement agencies. When compiling and preparing the statistics disclosed in this Report, the University solicits, collects, and examines (1) crime data received from local law enforcement, (2) incident reports filed by any member of the University or the University's Campus Security Authorities, (3) anonymous reports received through the University's anonymous reporting system, and (4) records of referrals for discipline. The University collects and examines data for crimes and incidents reported during the prior calendar year.

### *Clery Geography and Crime Location*

Consistent with federal regulations, the University examines, collects, and reports statistics for crimes that are reported to local police agencies or to a Campus Security Authority during the prior calendar year, and that occurred on or within its "Clery geography." The law defines an institution's Clery geography to include:

- Buildings and property that are part of the University's campus;
- The institution's non-campus buildings and property; and
- Public property within or immediately adjacent to and accessible from the campus.

When reporting crime statistics, the law requires an institution to specify in which of these three locations the reported crime occurred. In addition, institutions must identify, of the crimes that occurred on campus, the number that took place in dormitories or other residential facilities for students on campus.

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The University collects and reports crimes consistent with these requirements. However, because the University does not own or operate any (1) non-campus buildings or property or (2) dormitories or other residential facilities for students, statistics are not reported for these categories of location.

## *Crime Classification and Reporting*

Consistent with federal law, the University compiles and classifies crime information in accordance with the following guidelines:

- Statistics for murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession are compiled using the definitions of those crimes from the *Summary Reporting System (SRS) User Manual* from the FBI's UCR Program.
- Statistics for fondling, incest, and statutory rape are compiled using the definitions of those crimes from the *National Incident-Based Reporting System (NIBRS) User Manual* from the FBI's UCR Program.
- Statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are compiled using the definitions provided in the *Hate Crime Data Collection Guidelines and Training Manual* from the FBI's UCR Program.
- Statistics for dating violence, domestic violence, and stalking are compiled using the definitions set out earlier in this Report, which are taken from the federal regulations implementing the Clery Act.

Finally, in counting crimes when more than one offense was committed during a single incident, the University generally conforms to the requirements of the federal "Hierarchy Rule" located in the *Summary Reporting System (SRS) User Manual* (unless required to do otherwise under the law).

Though each year the University is only compiling crime statistics for crimes reported during the prior calendar year, the Report always includes the data for the three previous calendar years.

[See next page for Crime Statistics]

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CRIMINAL OFFENSES							
	On-Campus			Public Property			
	2019	2020	2021	2019	2020	2021	
Murder and Non-negligent manslaughter	0	0	0	0	0	0	
Negligent manslaughter	0	0	0	0	0	0	
Sex Offenses	0	0	0	0	0	0	
Sex offenses (Forcible)	0	0	0	0	0	0	
Sex offenses (Non-Forcible)	0	0	0	0	0	0	
Dating Violence	0	0	0	0	0	0	
Domestic Violence	0	0	0	0	0	0	
Stalking	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	
Aggravated assault	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	
Motor vehicle theft	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	
Larceny-Theft	0	0	0	0	0	0	
Simple Assault	0	0	0	0	0	0	
Intimidation	0	0	0	0	0	0	
Destruction, Damage, Vandalism of Property	0	0	0	0	0	0	
Any other crime involving bodily injury	0	0	0	0	0	0	

Note, effective July 1, 2015, the Department of Education retired the “Sex offenses (Forcible)” and “Sex offenses (Non-Forcible)” reporting categories, and replaced them with a single “Sex Offenses” category. Under the old reporting system, Sex offenses (Forcible) included (1) forcible rape, (2) forcible sodomy, (3) sexual assault with an object, and (4) forcible fondling; and Sex offenses (Non-Forcible) included (1) incest and (2) statutory rape.

Under the new reporting system, the single category of “Sex Offenses” includes (1) rape, (2) fondling, (3) incest, and (4) statutory rape.



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HATE CRIMES							
	On-Campus			Public Property			
	2019	2020	2021	2019	2020	2021	
Murder and Non-negligent manslaughter	0	0	0	0	0	0	
Sex Offenses	0	0	0	0	0	0	
Sex offenses (Forcible)	0	0	0	0	0	0	
Sex offenses (Non-Forcible)	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	
Aggravated assault	0	0	0	0	0	0	
Burglary	0	0	0	0	0	0	
Motor vehicle theft	0	0	0	0	0	0	
Arson	0	0	0	0	0	0	
Larceny-Theft	0	0	0	0	0	0	
Simple Assault	0	0	0	0	0	0	
Intimidation	0	0	0	0	0	0	
Destruction, Damage, Vandalism of Property	0	0	0	0	0	0	
Any other crime involving bodily injury	0	0	0	0	0	0	

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Although there are many possible categories of bias, under the Clery Act, only crimes motivated by one of the following eight categories of bias are reported: race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. When reporting hate crimes, the University identifies the category of bias that motivated the crime.

### ARRESTS AND REFERRALS FOR DISCIPLINARY ACTIONS

	On-Campus			Public Property		
	2019	2020	2021	2019	2020	2021
<i>Arrests</i>						
Illegal weapons possession	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
<i>Disciplinary Actions and Judicial Referrals</i>						
Illegal weapons possession	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0